

phosphatidylserine, altered mitochondrial membrane permeability, or release of mitochondrial cytochrome-c, and wherein a dosage of said apoptotic bodies administered to said patient comprises from 10,000 to 10,000,000 apoptotic bodies per kilogram body weight of the patient.

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REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim Amendments

Claims 1-18 and 31-45 stand cancelled.

Claims 28 and 55 are now canceled.

Claims 19, 24, 46, 51, 58, and 59 currently are amended. Support for the amendment can be found for example, in the now canceled claims 28 and 55. Claim 51 is further amended to remove a typographical error. Claims 29-30, and 56-57 currently are amended to correct the claim dependencies in light of the cancellation of claims 28 and 55. Cancellation or the amendment of the subject matter is not intended to be a dedication of the subject matter to the public. Applicants reserve the right to file one or more continuation(s) to the amended subject matter.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 19-27, 29-30, 46-54, and 56-59 are now pending and are under consideration in this application.

Claim Rejection under 35 U.S.C. §102(b)

Claims 19-27, 46-54, 58, and 59 stand rejected under 35 U.S.C. §102(b) as being anticipated by WO 92/10198.

To anticipate a claim, a single source must contain all of the elements of the claim. *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1379 (Fed. Cir. 1986).

WO 92/10198 does not contain all the elements of the claimed invention. In order to expedite prosecution, Applicants have amended claims to incorporate the dosage of the apoptotic bodies. WO 92/10198 does not contain this limitation and hence, does not contain all the elements of instant claims. Claims 29-30 and 56-57 depend from the independent claims and hence are also allowable.

Withdrawal of this rejection is respectfully requested.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

CONCLUSION

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 10/31/07

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